

Previous references.

✓
1903.

File No. 17 of 1902-03

Serial Nos. 1-10

(Sep Rev.)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-10.

Part B. for

SUBJECT.

Adjudication of Stamp duty on instruments of partition and settlement where Shambogi's hak is concerned.

✓ Sl. 1. From the Deputy Commr Hassan Dt. no $\frac{216}{5}$ D 31.10.02

Submits the decision of Govt regarding the adjudication of stamp duty on certain documents

✓ Sl. 2. To the Deputy Commr Hassan Dt. no R. 3172 D 11.2.03

Returns the above refce for resubmission in due form under Sec 56 cl 2 of the Mysore Stamps Regn. 1900

✓ Sl. 3. From the Deputy Commr Hassan Dt. no 437 D 7.2.03

2.31.03 G. R. S. 58 *Submits in due form a statement of facts and the opinion of the Dy Commr for the decision of Govt*

P.T.O.

Sl 4. To the Registrar, Chief Court. no R. 223 D 18.7.03

Refers ~~two~~ cases requiring adjudication of stamp duty on the document involved therein for the decision of the Chief Court.

Sl 5. From the Registrar, Chief Court no $\frac{357}{13}$ D 21.7.1903.

Requests that the documents connected with the two cases referred for adjudication of stamp duty may be caused to be forwarded to his Court.

Sl 6. To the Deputy Commr Hassan District. no R. 495 D 12.8.0

Requests that the documents alluded to in S. no 3, which have been called for by the Chief Court, may be forwarded to this Office as early as possible.

Sl 7. From the Deputy Commr Hassan Dt. no $\frac{109}{See 7}$ D $\frac{18}{19}$. 8. 03.

Submits the two documents in question for transmission to the Chief Court.

Sl 8. To the Registrar, Chief Court no R. 580 D 21.8.03

Forwards the document as requested in S no 5.

Sl 9. From the Registrar, Chief Court no $\frac{1851}{74}$ D 19.9.03.

With ref to S no 3, forwards copy of opinion in Civil Referral Cases nos 1 & 2 of 1902-04 on the file of the C.

Sl 10. To the Inspector General of Registration in Mysore.

" Dy Commr Hassan Dt.

" Dy Commr of other Districts

Gy. Pro. no R. 1308. 16 D 13.11.03

Communicates the opinion of the Chief Court to the Inspector General of Registration & to the Dy Commr Hassan Dt. for enforcement in the matter.

Dep: Rev: 7 of 1902-03

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject.

Adjudication of Stamp duty
on instruments of partition and settlement
where the Shanbogi hak is partitioned or
settled. (Hassan Dy Commr's letter no:
216 of 31-10-02.)

Note.

The Dy Commr, Hassan District,
submits two cases of adjudication of
Stamp duty for decision.

1) Subraya and three other brothers,
sons of Shanbaj Venkatanarasiah of
Kattepur, Arkalgud Taluk, divided
all their property valued at Rs 900-12-0
together with the Shanbogi hak of
two firkas carrying an annual potgi
of Rs 100. The document is written on
a 5 Rs stamp paper.

2) Shanbaj Narasimhaiah of
Kudakundi Firka, Arsikere Taluk,
transferred his property valued at Rs 470
together with the Shanbogi hak of 7 villages
carrying an annual potgi of Rs 127-4-0

- † 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

- * 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

to the young child Venkaturamian
of the eldest of his daughters, (as he has
no male issue) on condition of being
maintained by his son-in-law, the father
and guardian of the child, during his
life time

The Dy Commissioner requests to be informed
whether only one year's potgi amount
should be taken into account in these
two cases, in calculating the total amount
of consideration, or the calculation should
be made as per Sec 25 (b) of the Mysore
Stamp Act of 1900.

As the potgi is payable in
perpetuity or for an indefinite
time not terminable with any
life, the ~~stamp duty~~ ^{total amount of consideration} in the two cases
above may be calculated as set
forth in cl (b) Sec 25 of the Mysore
Stamp Regulation of 1900.

Submitted for orders.

28 N.
10/12/02

In this connection
attention is invited to
order no 5539 of 19.8.1890.

Papers put up

11/12/02

Under S. 56 Cl. 2 the Dy C₂ should
draw up a statement of the
case and refer it with his
opinion thereon to Govt.

This reference contains no
opinion and should therefore
be returned for resubmission
in due form

for
7/2/03
14/2/03
draft

Submitted with draft.

10/2/03

Note continued.

The reference was accordingly
returned to the Dy Comm asking him to
resubmit it with his opinion. The Dy Comm
resubmits the reference with his opinion,
that, as the documents referred to are
declared invalid vide G. O. no. 5539-29

of 19.8.90 and Mysore Law Report
Vol XV Page 163, Venkatarayappa, plaintiff,
vs Sri Rama Nagiah and another, defendants,
only one year's potgi may be taken

*(file put up)

into calculation for purposes

of stamp duty.

Submitted for orders. The Secretary

24. V.

10/3/03

The transaction as regards the Sanbhoji Hakk should not be recognised by Govt. The parties concerned required to be told so. This is apart from the stamp question - Vide papers put up with

G.O. No 55-39 of 19.8.1890
298

Submitted to the Secretary

12

19/3/03

As the value is indeterminate, the Stamp may be held sufficient under S. 24. Draft (copy) with an order added about the invalidity of this transaction & submit for consideration to the Govt. through the Committee (2nd & 1st as may be decided.)

11/4/3

Submitted with draft

15/4/03

These transactions are
 illegal - The question is
 whether our registering
 officers should register
 documents ~~not~~ relating
 to such illegal transac-
 -tions. The question of
 the value of stamp in
 a ~~document~~ minor ~~matter~~
 May I ask that this
 be kind placed before
 a meeting in view of
 legislative action being
 taken & the observa-
 -tion suggested by the
 Secretary could serve
 no useful purpose -

To the Dewan

[Signature]
 2/6/03

1/6/03

2/6/03

12244

10707
 9.6.03

I am not sure that
 legislative action
 is ~~not~~ necessary or
 necessary what is proposed
 to be done in the matter.
 That question does not
 immediately arise in
 this case it is open to
 the Council to place
 a definite proposal before
 the bar one - This question
 has however been decided
 & there is no suggestion of

the Council on that
 point. I remember
 there ~~was~~ a circ^{ular} direction
 to the reg^{ional} officers not
 to register documents
 affixed in unframed
 manner. I don't
 know whether this
 is still in force -
 I am afraid the
 suggestion is too
 indefinite to follow
 the Council - & the
 question of its
 is not a Council matter

16. VI. 03 (und)

To the 2nd Council

18/6/03
 20

mis 391
 22-5-03

Vide typed note attached -

20/6/03

Subm^{itted} to
 the Dewar

11199
 1.7.03

11/7/03

N o t e

In one of these cases there was a partition, in which among other items was included a Shanbogi hak carrying with it an annual emolument of Rs.100. In the other, which was apparently a "settlement," there was included a Shanbogi hak the annual income of which is Rs.127-4-0. Under the Rules, Shanbogi haks are not alienable and cannot therefore be property either divisible or transferable. All the same, the registration of documents in respect of such transactions cannot be refused by our registering officers. (Vide Circular No.13 of 1892-93 dated 10-5-93). (I am thankful to the Dewan for the clue kindly given by him, which has led to the discovery of the above order, of which I was not aware when I wrote my Note of 2-6-03.) No legislation is called for. The only question is whether the documents relating to both or either of these transactions have been sufficiently stamped. Whether or not the instruments are valid and legally enforceable is a point which in my opinion does not affect the question of stamp.

On the question of stamp-duty, there is room for a diversity of opinion.

On the one hand it may be argued that a fixed sum payable annually and in perpetuity is involved in each of the two cases, and that it cannot therefore be said that the value of the subject-matter is in any way indeterminate so as to bring the cases under section 26. As what is ~~involved~~ involved is an annuity or rather an office carrying a fixed annual payment, and as there is no uncertainty about its value, the duty has to be regulated in accordance with section 25 clause (b).

On the other hand, though the potgi is an annual payment, what is transferred (along with other properties) in each case is, it may be contended, not the mere money, but

the right to an office to which certain emoluments are attached, and which is also burdened with certain duties. Also, it may be said, the payment of potgi to the recognised official by the State is not one which requires to be secured by an instrument between private parties; there ~~is~~ ^{being} no other payment involved, beyond a payment by Government. If, accordingly, it is held that the value of a Shanbogi hak cannot be exactly measured and expressed in terms of money, then, of course, section 26 would apply; and under this section a person may select his own rate of duty, but may not upon the document recover more than that duty covers.

The former view expresses the opinion at which I have, not without diffidence, arrived.

May I suggest a reference to the Chief Court under section 57? The question is an important one, and is not free from doubt and difficulty; and it seems desirable that we should, for our guidance both in these and other similar cases, obtain a pronouncement on it from the Chief Court.

Bangalore,

30-6-03.

Elsee as above

*6/7/03
Yes - I agree - this
is not uncommon
also when I read the
note before I reached
that suggestion*

*5a. H. J.
7/7/03
H. J.
7/7/03*

*und
6.6.11.03*

*Recd
8/7/03.*

*Order with draft
2.7.9/7/03 10/7/03*

(Note continued).

The Registrar of the Chief Court,
who was requested to obtain and forward
the opinion of the Chief Court in the matter,
has sent a copy thereof. ^{It is} as follows:—

The person in whose favour the conveyance
has been executed has no right to claim
the Potgi as a matter of course. The grant
of the Potgi depends not upon the will of the
executant, but upon the pleasure of Court
to give effect to the arrangement made by the
parties. So far as the executant is concerned,
the document may be considered as contain-
ing a statement made by him to the effect
that he has no objection to payment of Potgi
to the person named by him. The document
is chargeable with duty under Sec 26 of the
Stamp Regulation 1900."

~~Submitted~~ ^{to the Secy} for orders

With a draft accog to

16/10/03 the view of the
Chief Court.

18/10/03

2

R.V.
15/10/03

To the Secy,
through the 2nd. Councillor.

The draft may be
used - C

5-11-03

Drafted
14/10/03
458
11-11-03

13867
6.11.03

A spare copy of the Progs of the
Mysore Govt in a similar case
(flag 6) and copy of an order of
the Madras Board of Revenue in
stamp decisions ^(flag 9) are put up. A
revised draft adopting the form
in paper with flag 6 is put
up.

Submitted.

He
31/10/23.

There is a form adopted
by the ~~Ch Ct~~ Madras

Bd of Rev in such

Cases I think.

Please adopt it &

let me see draft.

Under S-59. Govt

has to accept the

order of the Ch Ct

whether they agree

or not

He

28/10/23

Redraft
M. M. H. C.
23/11/23

M. M. H. C.
27/10/23

28/10/23

X

Read

Correspondence ending
with docket no: $\frac{109}{5}$ 18.8.03
from the Dy Commr., Hassan
District, submitting for the
orders of Govt two docu-
ments involving adjudi-
cation of stamp duty.

2. Letter no: $\frac{1851}{74}$ 19.9.03

from the Registrar of the
Chief Court of Mysore,
forwarding ^a copy of the
opinion of the Judges of
the Chief Court on the
same subject.

Order thereon

Subbaraya

Three other brothers, sons
of Shambay Venkatarama-
sinh of Kattepur, Arkal-
gud Taluk, have, by a
partition deed executed
on a stamp paper of the

Value of Rs 5/-, divided
all their property valued
at Rs 900-12-0 together
with the Shanboghikak
of two firkas carrying an
annual pottgi of Rs 100/-.

2. Shanboghitarasimhaiya
of Kundakundi firka, Ar-
Sikere Taluk, transferred
his property valued at Rs 470/-
together with the Shanbogi
hak of 7 villages carrying
an annual pottgi of
Rs 127-4-0 to the young child
Venkataramiah, son of the
eldest of his daughters,
on condition of his being
maintained during his
life time by his son-in-law,
the father and guardian
of the child. The document
is reported to have been
executed on a stamp paper
of the value of Rs 10/-.

3. The Dy Commr is of
opinion that, since such

instruments have been declared invalid, only one year's *potgi* may be taken into calculation for purposes of stamp duty, and requests to be informed whether his opinion is correct, or that calculation should be made as per Sec 25(b) of the Mysore Stamp Regulation of 1900.

The Master of the Court
4. ~~Gout observe~~ that the person in whose favour the conveyance has been executed has no right to claim the *potgi* as a matter of course. The grant of the *potgi* depends not upon the will of the executant, but upon the pleasure of Gout to give effect to the arrangement made by the parties. So far as the executant is concerned the document may be

^ Court who were consulted in the matter are in the opinion

By
considered as containing
a statement made by him
to the effect that he has no
objection to payment of
holfezi to the person named
by him. The document
in each of the two cases
referred to is chargeable
with duty under Sec 26
of the Mysore Stamp Regn
of 1900.

Got after with the view that the Chief
Court & direct that
the levy of Stamp
Duty accordingly

26/10/03 Secy

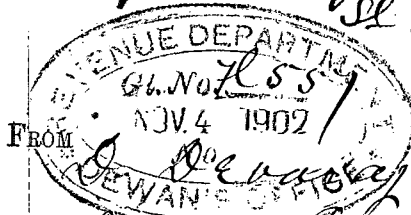
The Insp^r Genl of Regn in Mysore.

The Dy Commr, Hassan District,

returning the enclosures.

The Dy Commr of other Districts.

57

Sep Rev: 7 902-03
Sl 1

1902

FROM

Deputy Commissioner
Hassan District

TO

H. V. Nanjundayya Esq.
M.A. M.L.
Secretary to the Govt of Mysore
General and Rev. Department
Bangalore

Dated

3/8th

Despatched "

October 1902

Received

General No.

216

No.

Enclosure

No. nil

Soliciting the decision
of Government regarding
the adjudication of
stamp duty on certain
documents.

Aut
R

Recd 1.11.02
15.11.02.

Genl. records:-

Please put up the Govt Progs
and the law report quoted within

P. 20

8/12/02

To

The Revenue Branch
G. O. Annual Proceedings —
quoted in the letter from

Volume of the Law Reports
not available.

By

B.B.

9/12/02

9/12/02

Submitted with office note

d.v.

10/12/02

Deputy Commissioner's Office
Hassan District

Dated Hassan ~~11th~~ 11th 1902

Y
to you

Q. Svaraj, Esquire,
Deputy Commissioner
Hassan District

To
H. V. Narayandayya, Esquire
M. A. M. L.
Secretary to the Government
of Mysore, General and Rev-
Department

Sir,

I have the honor to
refer for the decision of Govern-
ment, the following two
documents which were forwarded
and submitted to me for adju-
dication of stamp duty by the
Sub-registrars, and request to

be informed whether only one year's potgi amount should be taken into account, in calculating the Total amount of Consideration or the calculation should be made as per Sec. 25 (b) of the Mysore Stamp Act of 1900.

Instruments of this kind are declared to be invalid, vide
+ (File put up) Government Order No. 5539-298 dated 19th August 1890, and
Mysore Law Report Vol. XV Page 163. Venkat-
Royappa Plaintiff vs
Srirama Nagju and
another. Defts.

1. One of the documents runs as follows.

Subbaroya and three other brothers, sons of Shanbogue Venkat Narsiah of Kattepu, Arkalgud Taluk, have by a partition deed,

divided all their property valued at Rs 900-12-0

together with Shankaji hak of
two Firkas, carrying an annual
notge of Rs 100/-. The hak of one
Firka consisting of five villages
is assigned to the eldest brother
Subbaya, and another consisting
of four villages to the second
brother Kasipathaiya. This docu-
ment which is written on Rs 5/-
Stamp paper was presented before
the Sub. Registrar of Arkalgud for
registration, who impounded and
forwarded the same for adju-
dication of stamp duty and
penalty under Sec. 25(b) of
the Mysore Stamp Act of 1900
as only one year's potgi is taken
into calculation.

2. Shankajee Narasimhaiya
of

of Kundakunde Farka, residing
in Nagawale, Arsikere Taluk
transferred his property valued
at Rs 470/- together with Shaubhoge
hak of seven villages carrying
an annual potge of Rs 127-4-0
to the young child Venkat Rama-
niah alias Krishna Murthi of the
eldest of his four daughters, as
he has no male issues, on con-
dition of his being maintained
during his life time, by his son-
-in-law, who is the father and
guardian of the child.

3. This document is executed
on Rs 10/- Stamp paper, which
the Sub-Registrar of Arsikere
doubts, is sufficient

4. I beg that early
decision of Government

may be communicated to
me for guidance.

I have the honor to be,

Sir,

Your most obedient servant

Respectfully,
M. Deputy Commissioner
Hassan District

Sep: Rev: 7 902-03
20 212

7/557

6

The Dy Commr,

Hassan District.

D

No. Q 3172

Exp.

dated 11/2/03.

The Dy Commr's letter

no: 216 & 31-10-02 solici-
ting instructions regarding
the adjudication of stamp
duty on documents in
certain cases.

With reference to the
above has the honour to
~~discuss~~
~~state~~ that the Dy Commr
has not furnished his
opinion required under
Sec 56 cl. 2 of the Mysore
Stamp Regulation of 1900,
and to request that he will
do so at an early date.

draft as per
Secy's orders.

"B. O."

11/2/03

for Secy

point out that under
Sec: 56, cl. 2 of the
Mysore Stamp Regⁿ,
1900, the Dy Commr
should draw up a
statement of the case
& refer it with his opinion
to Govt. The above
reference contains
no opinion & is there-
fore returned for compli-
ment in due form.

Sir

What is to
be returned
is it - the original
letter itself. No
enclosure has
been seen
with it.

~~Ad
12/2/03~~

As per personal
instructions of Mr. H. Ad.
with regard to the reference
made by the Dy Commr

he returned after
looking to fact in the
"From" Register.

Ph

12/2/23

Hand
173
2nd

Sep. Rev. 7 of 02-03 7
Sl 3

1902 03.
FROM D. 3160
Deputy Commissioner,
Hassan District.

Submitted with continued
248
no

To H. V. Nairundappa Esq.
In. A. Mil.
Secretary to the Government of
His Highness the Maharaja of
Mysore General and Rev. Dep. Secy.
Dated 5th
Despatched 7th } 1. March 1903.
Received

General No. 437
No. Secy
Enclosure No. two

Secretary's Docket No. R3172
Dated 11th February 1903 re.
- requesting to resubmit certain
documents with a statement
of facts and opinion of the
undersigned in due form.

With reference to the
above, has the honor
to submit in due form
a statement of facts and
the opinion of the under-
signed for the decision
of Government. -

D. 3160

Deputy Commissioner
Hassan District

2.3.03 Ref. 18/3/03

Sep Nov 7th of 2023
enclos to 3 8

The following two documents
which were impounded and
submitted for adjudication of
stamp duty by Sub-Registrars
are referred for the decision
of Government

1. One of the documents runs
as follows:-

Subroja and three other brothers,
sons of Shanbogue Venkata
Channiah of Kattapur, Arakalpet
Taluk, have by a partition deed
divided all their property
valued at Rs 900-12-0 together
with Shanbogue of two firkas,
carrying an annual profit of
Rs 100/- The bulk of one firka
consisting of five villages is
assigned to the eldest brother
Subroja, and another consisting
of four villages to the second
brother Kappathiah. This
document which is written
in

as Rs 5/- Stamp paper was
presented before the Dist. Registrar
7 Mr. Rajend for registration
to be impounded and forwarded
the same for adjudication
of Stamp Duty and penalty—
under Section 25 (1) of the Mysore
Stamp Act of 1900 as only
one year's duty is taken
into calculation.

2. Shanbaque Harabimiah
① Kudrikundi Finka, residing
in Darganah, Hosikere Taluk,
transferred his property—
valued at Rs 470/- together
with Shanbaqi hulk of Laccu
village carrying an annual
rent of Rs 127-6-0 to the
young child Perikata Harabimiah
alias Krishnamurti of the
eldest of his four daughters
as he has no male issue

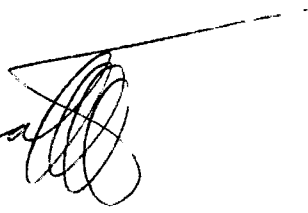
On condition of his being main-
-tained during his lifetime
by his father or person who is the
father and guardian of the
Child.

This document is Executed
on Rs 10/- Stamp paper, which
the Sub-Registrar of Assikere
has attested is sufficient

Opinion:-

Since the instruments of
the kind are declared to be
invalid (vide Government order
No: 5539-298 dated 19th August
1890 and Mysore Law Report
Vol. IV Page 163, Venkataswamy
Plaintiff ~~vs~~ Sri Ram Rajiah
and another - Defendants.) I am
of opinion that on 1/2 one year's
postage may be taken into
calculation

Calculation for purposes
of Stamp duty.


D. Venkatesh
Deputy Commissioner
M. -
Haydar District.

Sep: Rev: 7 of 02-03

Sl 4

12

20

The Registrar of the
Chief Court of Mysore.

Chgo

D ✓
R. 223

date. 18-7-03.

Sir,

18

Under Sec 57 of the Mysore
Stamp Regulation of 1900 I
am desired to refer the two
following cases requiring
adjudication of stamp
duty on the documents
involved therein for the
decision of the Chief Court.

First case:—

Subbaya and
three others, sons of Shanboog
Venkatanarasayya of
Kattepur, Arkalgud Taluk,
have, by a partition deed
executed on a stamp
paper of the value of Rs 5,
divided all their property
valued at Rs 900-12-00-00
together

with the Shanbogi hak of two
firkas carrying an annual
potgi of Rs 100/. The Shanbogi hak
of one firka consisting of 5 villages
is assigned to the eldest son
Subraya and that of the other
consisting of 4 villages to the
second son Kasipathayya.

This document was prevented
for registration before the Sub-Registrar
of Arkalgud, who impounded
and forwarded it to the Dy Commr,
Hassan District, for adjudication of
stamp duty under Sec 25-(b),
as only one year's potgi had been
taken into calculation.

Second case:— Shanbogi Tara-
simhayya of Kudakundi firka,
Arsikere Taluk, transferred
his property valued at Rs 470/- together
with the Shanbogi hak of 7 villages
carrying an annual potgi of Rs 127-4-0
to Venkataramanayya, minor son of
his eldest daughter, on condition
of his being maintained during his
lifetime by his son-in-law, the father
and guardian of the child. This
document is reported to have been
executed on a stamp paper of the value
of Rs 10. The Sub Registrar of Arsikere
doubts whether the duty is sufficient.

2. The Dy Commr, Hassan.

District, who in the first instance referred the cases ^{to Govt for decision} is of opinion that, since instruments of the kind have been declared invalid (Vide Mysore Law Report Vol XV page 163, Veinkatārayappa, plaintiff ~~vs~~ Snirama Nagiah and another, defendants), one year's potgi may be taken into calculation for purposes of stamp duty.

3. The Govt ^{are of} hold ~~a~~ ^{the} ~~two~~ fold opinion in the ~~matter~~ ^{that} that on the question of Stamp Duty there is room for ~~a diversity of opinion~~.

(a) On the one hand it may be argued that a fixed sum payable annually and in perpetuity is involved in each of the two cases, and that it can not therefore be

15
Said that the value of
the subject matter is in
any way indeterminate
so as to bring the cases
under Sec 26. As what is
involved is an annuity
or rather an office carrying
a fixed annual payment,
and as there is no uncertainty
about its value, the duty
has to be regulated in ac-
cordance with Sec 25 d(b).

(b) On the other hand,
though the potgi is an annual
payment, what is transferred
(along with other properties) in
each case is, it may be
contended, not the mere
money, but the right to
an office to which certain
emoluments are attached,
and which is also burdened
with certain duties. Also, it
may be said, the payment
of potgi to the recognised
officiator by the state is not

one which requires ¹⁶/₁₀ to be secured by an instrument between private parties, there being no other payment involved, than a payment by Govt. If, accordingly, it is held that the value of a Shan-bagi hak can not be exactly measured and expressed in terms of money, then, of course, Sec 26 would apply; and under this section a person may select his own rate of duty, but may not upon the document recover more than that duty covers.

~~I am, therefore~~
to request that you will kindly convey to me the decision

obtained in the matter
at an early date.

I have

the

~~Handwritten signature~~

18/7/13

See

at

9/7/03

12
10/7/03

12
10/7/03

Sept. 7 of 1902-03
215.N^o 357
13Bangalore, 21st July 1903.

From

V. A. Rajaratna Mudaliar Esq.,
Registrar, Chief Court of Mysore.

To,

H. V. Nanjundayya Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Maharajah of Mysore,
Genl. and Revenue Departments.

Sir,

I have the honor to request
that you will be so good as to cause the
documents connected with the two cases
referred for adjudication of stamp duty in
your letter No: R. 223 dated 18th July 1903
to be forwarded to this Court as early as
possible.

I have the honor to be,
Sir,

Your most obedient servant,
D. N. K. K. K. K. K.
Registrar

min

Sep Rev: 7 of 1902-03
sl 6 19

Office Draft. (Docket.)

The Mysore Government,
General & Revenue Secretariat,
Revenue Branch.

To

The Dy Commr,

Kannan District

Date of passing the draft

Date of despatch

Regd. No.

File No: & date (if any)

No. of Encls.

With reference to the
Correspondence ending
with the Dy Commr's letter
no: 437 of 5.3.03 referring
for the orders of Govt two
cases requiring adjudication
of stamp duty on the
documents involved
therein, has the honour
to request that the docu-
ments alluded to, may
be forwarded to this
Office as early as possible
since they have been called
for by the Chief Court to
whom the cases have been re-
ferred for decision.

Which have been
called for by the
Chief Court,

13.09

7/8/03

24.9.03

In the margin

*70007
22/8/03*

20-8-03

Submitted with draft:

21.8.

21/8/03

Sep: Rev: 7 of 02-03

Sl 7



R 634

Q 4.

*D. ... after Mrs. E. ...
Deputy Commissioner
Channarayana District*

*To H. V. Nanjundazgalge
M. A. M. K.*

*Secretary to the Government
of His Highness the Maharaja
of Mysore, General Secy: Deptt.*

Dated 18th

Despatched 19th } August 1903.

Received

General No. 109

No. by

*4577 Enclosure No two
Documents.*

*Secretary's Docket no: --
Q 495 Dated 12th Instant,
requesting to submit
the Documents which
have been referred for
the orders of Govern.
- ment for a adjudication
of stamp duty.*

*With reference to the
above, has the honor
to submit here with
the two Documents in
question*

request for favor
transmission to
the Chief Agent.

Mundy

per Deputy Commissioner
Hawaii District

per

draft for

20 Sep. Rev. 7 of 02-03²²
sl 8.

The Registrar of the
Chief Court, Mysore

R 580. Cu 2

No. 21-8-03

date 21/8/03

Correspondence ending
with his letter ~~no. 357 of 18~~

~~21-7-03 and remainder~~

2012 of 16.8.03
33

Has the honour to

requested the documents

(1) An instrument of
partition executed by
one Subraya ~~and his~~
~~three brothers~~ of Kattepur,
Arkalgud Taluk, and his
three brothers under date
4th April 1902 on a stamp
paper of Rs 5/-

(2) A deed of settlement
executed by Sambag Kara-
Simhayya of Kudakundi
firka, Arsikere Taluk, in
favour of Venkataramanayya,
minor by guardian Venkata-
raya under date 5th March 1902
on a stamp paper of Rs 10/-

as noted in the margin
~~and to state that the delay~~
~~in their forwardal was~~
~~owing to their non-receipt~~
~~from the District.~~ 15.0

for N
26/8/03
Seer
21/8/03

omps
21/8/03

H 531

Sep Rev: 7 of 1902-03 23

N 1851 H: 3
74

J. 406

From

Bangalore, 19th September 1903

V. A. Rajaratna Mudaliar Esq.,
Registrar, Chief Court of Mysore.

To

H. V. Nanjundayya Esq., M.A.,
Secretary to Government,
General and Revenue Department.

Sir

With reference to your no ²²³_R
dated 18th July 1903, I am directed to
forward copy of opinion in Civil Referred
cases nos 1 and 2 of 1903-4 on the file of
this Court.

The enclosures received with
the above are herewith returned.

I have the honor to be,

Sir,

Your most obedient Servant,

W. A. Rajaratna Mudaliar

Registrar

W. A.

Redraft
Sep Rev. 7 7 02-03 26
Read SL 10

paper with flag (A)

The memo received from the Dy Commr., Hassan District, with his docket no: 437 of 5th March 1903, referring for the decision of Government - two documents involving adjudication of stamp duty.

(The memo in extenso).

2. Letter no: $\frac{1851}{74}$ of 19.9.03

from the Registrar of the Chief Court of Mysore, forwarding a copy of the opinion of the judges of the Chief Court on the subject.

(The opinion of the judges of the Chief Court in extenso)

Order thereon:

The Chief Court's
Opinion quoted above.

11
5-11-03

11
11-11-03

contained in paper with flag (B).

Encl 2 Dockets
5/12/03.

R 1308-16 of 13.11.03

is communicated to the
Inspector General of Registration, & to
the Dy Comdr, Hassan District,
~~and the Dy Comdrs of other~~
~~districts~~ for information
and guidance.

Pint 3/11/03
Secretary

7. XI. 03

The Inspector Genl of Regn in Mysore.
The Dy Comdr, Hassan District,
returning the documents.
The Dy Comdrs of other districts.

Campd
12

Sep.Rev. . 7-02-03.

Adjudication of stamp duty on instruments of partition and settlement where Shanbogue's hak is concerned.

- Sl.1. From the Deputy Commissioner, Mysore District. No.216/3.
Solicits the decision of Government regarding the adjudication of stamp duty on certain documents.
- Sl.2. To the Deputy Commissioner, Hassan District.-No.R.3172
Returns the above reference for resubmission in due form under Section 56, clause 2 of the Mysore Stamps Regulation, 1900.
- Sl.3. From the Deputy Commissioner, Hassan District. No.437
dated 7-2-03.-: Submits in due form a statement of facts and the opinion of the Deputy Commissioner for the decision of Government.
- Sl.4. To the Registrar, Chief Court. No.R.223 dated 18-7-03.
Refers the cases requiring adjudication of stamp duty on the documents involved therein for the decision of the Chief Court.
- Sl.5. From the Registrar, Chief Court. No.357 /13 dated 21-7-03.
Requests that the documents connected with the two cases referred for adjudication of stamp duty may be caused to be forwarded to his Court.
- Sl.6. To the Deputy Commissioner, Hassan District. No.R.495
dated 12-8-03.- Requests that the documents alluded to in Sl.3 which have been called for by the Chief Court, may be forwarded to this office as early as possible.
- Sl.7. From the Deputy Commissioner, Hassan District. No.109/3e.
dated

dated 18/10-8-03.- Submit the two documents in question for transmission to the Chief Court.

- Sl.8. To the Registrar, Chief Court. No.R.580 dated 21-8-03.
Forwards the documents as requested in Sl.5 above.
- Sl.9. From the Registrar, Chief Court. No.R.1831/74 dated 19-9-03.- Forwards, as desired in Sl.4, copy of opinion in Civil Cases Nos.1 and 2 of 1903-04 on the file of the Chief Court.
- Sl.10. To the Inspector General of Registration, Deputy Commissioner, Hassan District, Deputy Commissioners of other Districts.-: Nos.R. 1308-16 dated 13-11-03.
Communicates the opinion of the Chief Court in the matter of stamp duty to the officers concerned for information and guidance.